

SEPA ENVIRONMENTAL CHECKLIST

A. Background [\[help\]](#)

1. Name of proposed project, if applicable: [\[help\]](#)

Amendment of Chapter 463-78 WAC – General and operating permit regulations for air pollution sources to adopt certain parts of Title 40 Code of Federal Regulations Part 60, New Source Performance Standards.

2. Name of applicant: [\[help\]](#)

Washington State Energy Facility Site Evaluation Council (EFSEC)

3. Address and phone number of applicant and contact person: [\[help\]](#)

EFSEC

1300 S. Evergreen Park Drive SW

PO Box 43172

Olympia, WA 98504

Contact: Jim La Spina email: jlaspina@utc.wa.gov phone: 360-742-6014

4. Date checklist prepared: June 15, 2015

5. Agency requesting checklist: EFSEC

6. Proposed timing or schedule (including phasing, if applicable):

EFSEC filed the CR-105 with the Code Revisor on May 6, 2015 and the public notice appeared in the State Register on May 20, 2015. EFSEC will file the CR103 after the public comment period ends on July 7, 2015.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

Yes. Once this rule is final, EFSEC will submit a request to EPA for its inclusion in the Washington State Implementation Plan for Air Quality, in compliance with requirements of the Federal Clean Air Act. A State Implementation Plan (SIP) is a state-proposed plan for complying with the federal Clean Air Act, administered by the Environmental Protection Agency. The SIP consists of narrative, rules, technical documentation, and agreements that an individual state will use to clean up polluted areas.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

EFSEC is adopting by reference five rule revisions implemented by Ecology in 2010-2. Ecology made the rule revisions to Chapters 173-400 and 173-401 WAC. Two Ecology SEPA checklists were listed in the initial Determination of Nonsignificance and Adoption of Existing Environmental Documents (DNS) form.

Two additional Ecology SEPA checklists became available after the beginning of public notice and are included in the amended DNS form.

This EFSEC checklist addresses EFSEC's adoption by reference of sections of the US Environmental Protection Agency's new source performance standards from 40 CFR Part 60 that would apply to potential EFSEC facilities. The remainder of this checklist will address EFSEC's adoption of the federal new source performance standards only.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. [\[help\]](#)

Not applicable. This rule adoption is not project specific, it is a regulation implemented by EFSEC. Any site specific application that is currently pending will be processed under the rules in effect at the time that the permit application is submitted.

10. List any government approvals or permits that will be needed for your proposal, if known. [\[help\]](#)

Not applicable.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [\[help\]](#)

This programmatic action updates Chapter 463-78 WAC to ensure compliance with the federal Clean Air Act for facilities that may potentially fall under EFSEC jurisdiction.

This rulemaking proposes adoption of federal new source performance standards for the following industrial categories contained in 40 CFR Part 60:

Subpart Ja: Standards of performance for petroleum refineries for which construction, reconstruction, or modification commenced after May 14, 2007

Subpart VV: Standards of performance for equipment leaks of VOC in the synthetic organic chemicals manufacturing industry for which construction,

reconstruction, or modification commenced after January 5, 1981 and on or before November 7, 2006

Subpart VVa: Standards of performance for equipment leaks of VOC in the synthetic organic chemicals manufacturing industry for which construction, reconstruction, or modification commenced after November 7, 2006

Subpart RRR: Standards of performance for volatile organic compound emissions from synthetic organic chemical manufacturing industry (SOCMI) reactor processes

Subpart IIII: Standards of performance for stationary compression ignition internal combustion engines

Subpart JJJJ: Standards of performance for stationary spark ignition internal combustion engines

Subpart KKKK: Standards of performance for stationary combustion turbines

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [\[help\]](#)

The result of this proposal is an update of Washington State regulations as implemented by EFSEC. It is not a site-specific proposal.

B. ENVIRONMENTAL ELEMENTS [\[help\]](#)

1. Earth [\[help\]](#)

a. General description of the site: [\[help\]](#)

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

Not applicable. This is a non-project action.

b. What is the steepest slope on the site (approximate percent slope)? [\[help\]](#)

Not applicable. This is a non-project action.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any

agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. [\[help\]](#)

Not applicable. This is a non-project action.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. [\[help\]](#)

Not applicable. This is a non-project action.

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. [\[help\]](#)

Not applicable. This is a non-project action.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. [\[help\]](#)

Not applicable. This is a non-project action.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? [\[help\]](#)

Not applicable. This is a non-project action.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: [\[help\]](#)

Not applicable. This is a non-project action.

2. Air [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. [\[help\]](#)

This proposal establishes emission limit levels for toxic air pollutants. It regulates new and modified toxic air pollutant sources.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. [\[help\]](#)

Not applicable. This is a non-project action.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any: [\[help\]](#)

These revised regulations implement requirements of EFSEC's delegation agreement with the US Environmental Protection Agency, the federal Clean Air Act and Washington's Clean Air Act, RCW 70.94. They control emissions of criteria and toxic air pollutants.

3. Water [\[help\]](#)

a. Surface Water:

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. [\[help\]](#)

Not applicable. This is a non-project action.

- 2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans. [\[help\]](#)

Not applicable. This is a non-project action.

- 3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. [\[help\]](#)

Not applicable. This is a non-project action.

- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

Not applicable. This is a non-project action.

- 5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. [\[help\]](#)

Not applicable. This is a non-project action.

- 6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. [\[help\]](#)

Not applicable. This is a non-project action.

b. Ground Water:

- 1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. [\[help\]](#)

Not applicable. This is a non-project action.

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the

following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. [\[help\]](#)

Not applicable. This is a non-project action.

c. Water runoff (including stormwater):

- 1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. [\[help\]](#)

Not applicable. This is a non-project action.

- 2) Could waste materials enter ground or surface waters? If so, generally describe. [\[help\]](#)
Not applicable. This is a non-project action.

- 3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. [\[help\]](#)

Not applicable. This is a non-project action.

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: [\[help\]](#)

Not applicable. This is a non-project action.

4. **Plants** [\[help\]](#)

a. Check the types of vegetation found on the site: [\[help\]](#)

- ☐ deciduous tree: alder, maple, aspen, other
☐ evergreen tree: fir, cedar, pine, other
☐ shrubs
☐ grass
☐ pasture
☐ crop or grain
☐ Orchards, vineyards or other permanent crops.
☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
☐ water plants: water lily, eelgrass, milfoil, other
☐ other types of vegetation

Not applicable. This is a non-project action.

b. What kind and amount of vegetation will be removed or altered? [\[help\]](#)

Not applicable. This is a non-project action.

- c. List threatened and endangered species known to be on or near the site. [\[help\]](#)

Not applicable. This is a non-project action.

- d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [\[help\]](#)

Not applicable. This is a non-project action.

- e. List all noxious weeds and invasive species known to be on or near the site. [\[help\]](#)

Not applicable. This is a non-project action.

5. Animals [\[help\]](#)

- a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. [\[help\]](#)

Examples include:

birds: hawk, heron, eagle, songbirds, other:

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other _____

Not applicable. This is a non-project action.

- b. List any threatened and endangered species known to be on or near the site. [\[help\]](#)

Not applicable. This is a non-project action.

- c. Is the site part of a migration route? If so, explain. [\[help\]](#)

Not applicable. This is a non-project action.

- d. Proposed measures to preserve or enhance wildlife, if any: [\[help\]](#)

Not applicable. This is a non-project action.

- e. List any invasive animal species known to be on or near the site. [\[help\]](#)

Not applicable. This is a non-project action.

6. Energy and Natural Resources [\[help\]](#)

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc. [\[help\]](#)

Not applicable. This is a non-project action.

- b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe. [\[help\]](#)

Not applicable. This is a non-project action.

- c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any: [\[help\]](#)

Not applicable. This is a non-project action.

7. Environmental Health [\[help\]](#)

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur as a result of this proposal?
If so, describe. [\[help\]](#)

These rules regulate emissions from new or modified sources of air pollutants.

- 1) Describe any known or possible contamination at the site from present or past uses.
[\[help\]](#)

Not applicable. This is a non-project action.

- 2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity. [\[help\]](#)

Not applicable. This is a non-project action.

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. [\[help\]](#)

Not applicable. This is a non-project action.

- 4) Describe special emergency services that might be required. [\[help\]](#)

Not applicable. This is a non-project action.

- 5) Proposed measures to reduce or control environmental health hazards, if any: [\[help\]](#)

Not applicable. This is a non-project action.

b. Noise [\[help\]](#)

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? [\[help\]](#)

Not applicable. This is a non-project action.

- 2) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. [\[help\]](#)

Not applicable. This is a non-project action.

- 3) Proposed measures to reduce or control noise impacts, if any: [\[help\]](#)

Not applicable. This is a non-project action.

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. [\[help\]](#)

Not applicable. This is a non-project action.

- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use? [\[help\]](#)

Not applicable. This is a non-project action.

- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: [\[help\]](#)

Not applicable. This is a non-project action.

- c. Describe any structures on the site. [\[help\]](#)

Not applicable. This is a non-project action.

- d. Will any structures be demolished? If so, what? [\[help\]](#)

Not applicable. This is a non-project action.

- e. What is the current zoning classification of the site? [\[help\]](#)

Not applicable. This is a non-project action.

- f. What is the current comprehensive plan designation of the site? [\[help\]](#)

Not applicable. This is a non-project action.

- g. If applicable, what is the current shoreline master program designation of the site? [\[help\]](#)

Not applicable. This is a non-project action.

- h. Has any part of the site been classified as a critical area by the city or county? If so, specify. [\[help\]](#)

Not applicable. This is a non-project action.

- i. Approximately how many people would reside or work in the completed project? [\[help\]](#)

Not applicable. This is a non-project action.

- j. Approximately how many people would the completed project displace? [\[help\]](#)

Not applicable. This is a non-project action.

- k. Proposed measures to avoid or reduce displacement impacts, if any: [\[help\]](#)

Not applicable. This is a non-project action.

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: [\[help\]](#)

Not applicable. This is a non-project action.

- m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: [\[help\]](#)

Not applicable. This is a non-project action.

9. Housing [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. [\[help\]](#)

Not applicable. This is a non-project action.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. [\[help\]](#)

Not applicable. This is a non-project action.

- c. Proposed measures to reduce or control housing impacts, if any: [\[help\]](#)

Not applicable. This is a non-project action.

10. Aesthetics [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? [\[help\]](#)

Not applicable. This is a non-project action.

- b. What views in the immediate vicinity would be altered or obstructed? [\[help\]](#)

Not applicable. This is a non-project action.

- c. Proposed measures to reduce or control aesthetic impacts, if any: [\[help\]](#)

Not applicable. This is a non-project action.

11. Light and Glare [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? [\[help\]](#)

Not applicable. This is a non-project action.

- b. Could light or glare from the finished project be a safety hazard or interfere with views? [\[help\]](#)

Not applicable. This is a non-project action.

- c. What existing off-site sources of light or glare may affect your proposal? [\[help\]](#)

Not applicable. This is a non-project action.

- d. Proposed measures to reduce or control light and glare impacts, if any: [\[help\]](#)

Not applicable. This is a non-project action.

12. Recreation [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity? [\[help\]](#)

Not applicable. This is a non-project action.

- b. Would the proposed project displace any existing recreational uses? If so, describe. [\[help\]](#)

Not applicable. This is a non-project action.

- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: [\[help\]](#)

Not applicable. This is a non-project action.

13. Historic and cultural preservation [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe. [\[help\]](#)

Not applicable. This is a non-project action.

- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. [\[help\]](#)

Not applicable. This is a non-project action.

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. [\[help\]](#)

Not applicable. This is a non-project action.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. [\[help\]](#)

Not applicable. This is a non-project action.

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. [\[help\]](#)

Not applicable. This is a non-project action.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? [\[help\]](#)

Not applicable. This is a non-project action.

- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? [\[help\]](#)

Not applicable. This is a non-project action.

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private). [\[help\]](#)

Not applicable. This is a non-project action.

- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. [\[help\]](#)

Not applicable. This is a non-project action.

- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates? [\[help\]](#)

Not applicable. This is a non-project action.

- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. [\[help\]](#)

Not applicable. This is a non-project action.

- h. Proposed measures to reduce or control transportation impacts, if any: [\[help\]](#)

Not applicable. This is a non-project action.

15. Public Services [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. [\[help\]](#)

Not applicable. This is a non-project action.

- b. Proposed measures to reduce or control direct impacts on public services, if any. [\[help\]](#)

Not applicable. This is a non-project action.

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site: [\[help\]](#)
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system,
other _____

Not applicable. This is a non-project action.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. [\[help\]](#)

Not applicable. This is a non-project action.

C. Signature [\[help\]](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee: Stephen Posner

Position and Agency/Organization: EFSEC Manager

Date Submitted: August 4, 2015

D. supplemental sheet for nonproject actions [\[help\]](#)

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

These rules will not increase the discharge of air emissions; rather they require compliance with standards and permits that regulate facility operations and emission rates.

Proposed measures to avoid or reduce such increases are:

Chapter 463-78 WAC contains the permit process for both criteria and toxic air pollutants in areas of attainment, nonattainment and unclassified areas. It establishes permit procedures for major and minor sources of air emissions. The rule requires control of emissions to the air and will result in improved air quality and lower health risk.

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Plants, animals, fish and marine life may benefit from better air quality.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Air pollution control measures are intended to protect human health and the environment.

3. How would the proposal be likely to deplete energy or natural resources?

This proposal will not deplete energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

None.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Chapter 173-400 WAC does not generally differentiate between environmentally sensitive areas except for in WAC 173-400-118, Designation of Class I, II, and III areas. This subsection was not amended as part of this rule making process. The protection of these state, tribal and federal lands has not changed as a result of this rule amendment.

Proposed measures to protect such resources or to avoid or reduce impacts are:

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Adjacent land uses are taken into consideration in the permit review process for new or modified sources.

Proposed measures to avoid or reduce shoreline and land use impacts are:

Permit conditions can be tailored to ameliorate impacts between incompatible land uses.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Not applicable.

Proposed measures to reduce or respond to such demand(s) are:

Not applicable.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

These rules implement the Washington Clean Air Act and the federal Clean Air Act. They do not conflict with local, state or federal laws.